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On

May 19, 2004

TOWNSEND and TOWNSEND and CREW LLP

By:

Joy M. Marshall

PATENT  
Attorney Docket No.: 085761-000010US  
Client Ref. No.: AR002  
Customer No.: 20350

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

MATSUOKA *et al.*

Application No.: 10/714,054

Filed: November 14, 2003

For: C3 PLANTS EXPRESSING  
PHOTOSYNTHETIC ENZYME OF C4  
PLANTS

Confirmation No. 3192

Examiner: Not yet assigned

Art Unit: Not yet assigned

COMMUNICATION UNDER

37 C.F.R. §§ 1.821-1.825

AND

PRELIMINARY AMENDMENT

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Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, 37 C.F.R. §§ 1.821-1.825, mailed April 14, 2004, Applicants submit herewith the required paper copy and computer readable copy of the Substitute Sequence Listing.

Appl. No. 10/714,054

Amdt. dated May 3, 2004

Reply to Notice to Comply of April 14, 2004

PATENT

**Amendments to the Specification** begin on page 3 of this paper.

**Remarks** begin on page 4 of this paper.